

REMARKS:

Reconsideration of the rejections set forth in the Final Office Action mailed November 4, 2008 and entry of the present amendment is requested because Applicants respectfully submit that the present Amendment places the application in condition for allowance or in better form for consideration on appeal.

In response to the Final Office Action, claims 11, 25, and 26 have been canceled without prejudice, and claims 12, 16-18, 29-31, and 33 have been amended. Accordingly, claims 12-14, 16-18, 29-38 are currently pending.

In the Final Office Action, claims 11-14, 16, 17, 25, 26, 29-31, 33, 34, and 36-38 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,994,686 (“the Cruise et al. reference”) in view of U.S. Patent No. 6,994,686 (“the Pawelka et al. reference”).

As an initial matter, Applicants appreciate the Examiner’s indication that claims 18, 32, and 35 are allowed. Claim 18 has been amended merely to correct an antecedent basis error, i.e., that no occlusion member is recited in claim 18. Applicants submit that this amendment should not affect the allowance of claim 18.

Claims 12, 16, and 17 have been amended to depend from claim 18. Therefore, claims 12-14, 16, and 17 should also now be allowable. Claims 29-31 have been amended to depend from claim 32, and therefore should also now be allowable. Claim 33 has been amended to recite similar language to claim 18, i.e., reciting a retraction assembly coupled to the delivery sheath, which is neither taught nor suggested by the cited references. Applicants submit that claim 33 should now be allowable for similar reasons to claim 18, as should claims 36-38, which depend

from claim 33. Thus, all of the presently pending claims depend directly or indirectly from allowed claims 18, 32, or 35, or include similar language and therefore should now be allowable.

In view of the foregoing, it is submitted that the claims now presented in this application define patentable subject matter over the cited prior art. Accordingly, reconsideration and allowance of the application is requested.

Respectfully submitted,
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